

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION NO. 1846
TO BE ANSWERED ON 30.07.2018

FOREST RIGHTS OF TRIBALS

1846. SHRI RAM MOHAN NAIDU KINJARAPU:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the details of steps taken to protect the Forest Rights of the tribals in Andhra Pradesh;
- (b) whether any efforts are being made to create awareness of these rights among the tribal population who depend on forests; and
- (c) if so, the details thereof?

ANSWER

MINISTER OF TRIBAL AFFAIRS
(SHRI SUDARSHAN BHAGAT)

(a), (b) and (c) Right from the time of promulgation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006 and Rules thereunder, Ministry of Tribal Affairs (MoTA) has been providing support to States and UTs for effective implementation of the Act including creating awareness besides guiding them, hand holding and monitoring its implementation. A brief account of such steps taken by MoTA is furnished in **Annexure**. Further, steps taken by State Government of Andhra Pradesh to protect Forest Rights of tribals in Andhra Pradesh include:

1. The Government of Andhra Pradesh have issued detailed guidelines and rules governing implementation of “The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006” through GO Ms No.102. Dated 06.06.2008 of Social Welfare (LTR.1) Department, Government of Andhra Pradesh.
2. 1,949 Forest Rights Committees (FRCs) have been constituted in all the 13 Districts of the State.
3. 1,74,656 Claims have been received with an extent of 9,93,331 acres for processing.
4. Survey has been completed through FRCs for 1,71,469 claims.
5. 1,48,077 claims have been approved in Gram Sabha.
6. 93,401 Titles have been distributed to the claimants to an extent of 6,75,416 acres.
7. The disposal of claims constitutes 95 % of total claims received.
8. Re- examination of rejected claims of 73,016 to an extent of 1,55,255 acres with the help of Cartosat images software and other evidences;
9. Incorporation of Record of Rights in Revenue Records etc.

Similarly, efforts made by State Government of Andhra Pradesh to create awareness of these rights among the tribal population who have dependence on forests include:

1. Use of wall-posters, holding of meetings in the tribal area to create awareness about Forest Rights Act 2006;
2. Distribution of pamphlets containing methods how to make claims including the process of claims and submission of evidences in support of their claims etc. in the tribal areas;
3. Giving wide publicity in vernacular language and through electronic media among tribals and Gram Sabha of Forest Rights Act, 2006 and Forest Rights Rules;
4. Holding of meetings by Forest, Revenue and Tribal Welfare Departments in tribal areas to explain them to avail the benefits of the Act;
5. Organizing of inter-district study tours of ST farmers under the Forest Rights Act to facilitate them to interact with counterparts for increasing the agricultural output and annual yield of income;
6. Organizing ST farmers meet at Minister-level for experience sharing.

Steps taken by Ministry of Tribal Affairs (MoTA) for effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short FRA, 2006)

1. Support provided by MoTA to State Governments

A. Capacity Building to States / UTs

- i. To increase awareness and efficiency, States requested to undertake extensive training programmes for officials and members of institutions, responsible for the implementation of FRA and to use the Geo- referenced database for processing claims towards vesting of rights and maps;
- ii. Issued FAQ to address the questions raised by State Governments regarding FRA, 2006;
- iii. Translation of Act, Rules and clarification into local languages and publication of training modules on FRA for training and guidance;
- iv. Issuance of guidelines, observations, clarifications and direction under Section 12 of FRA, 2006 on various aspects of FRA, 2006;
- v. A dedicated website < <http://www.foresights.nic.in>> has been launched. This site besides containing all documents like Act, Rules and Guidelines etc. also has a self-learning and self-test module.

B. Financial Support for the implementation of the FRA, 2006

Release of funds, from time to time, under TSP (now TSS) and grants under Article 275 (1) for undertaking FRA related activities such as capacity building, training and support for post recognition of rights. (*TSP: Tribal Sub Plan, TSS: Tribal Sub-Scheme*)

2. Follow-up with and directions to State Governments

A. Mechanisms laid down by Government of India for monitoring the progress of implementation of the Act

- i. States/UTs are submitting Monthly Progress Reports and Quarterly Progress Reports as per amended Rules to the Ministry;
- ii. Ministry also reviews the progress by convening meetings of State Secretaries / Commissioners of Tribal Welfare / Development Departments.
- iii. Visits by Ministers and senior officers of the Ministry to States for reviewing the progress of implementation of the Act.
- iv. Organisation of Regional Workshops in order to explain and discuss the amendments in the Forest Right Rules and the guidelines to the officials of the key State Government Departments.
- v. A series of Review-cum-Consultation meetings with States held in which besides reviewing the progress, various issues in its implementation were also discussed and clarification on a number of points given.
- vi. As per FR Amendment Rules, 2012 Government notified, on 6.9.2012, State Level Monitoring Committee is required to meet at least once in three months to monitor the process of recognition, verification and vesting of rights, consider and address the field level problems.

B. Thrust areas redefined

- i. States have been urged to concentrate on Community Rights claims.
- ii. Directions issued to States to *suo moto* review the rejected claims
- iii. Conversion of Forest Villages into Revenue Villages stressed upon and States asked to submit periodic reports to the Ministry.
- iv. States have been requested to provide post-recognition of rights support to the title holders.
- v. States have been requested to ensure that Gram Sabhas are convened in all villages as per Forest Rights Act definitions and Forest Rights Committees formed.

C. Sensitization on new emerging areas

- i. The States sensitized about issues of Critical Wildlife Habitats, CAMPA funds and land banks. (*CAMPA: Compensatory Afforestation Fund Management and Planning Authority*)
- ii. States directed to take necessary steps for reflecting the rights recognized/pattas given under FRA in the records of the revenue department.
- iii. Letters written on 27.7.2015 to States with high rates of rejection of claims, following which they have started reviewing and re-examining the rejected claims.
- iv. On 21.9.2017, letter sent to States to use space technology for creation of geo-referenced database on vesting of rights/ correction of record of rights, for convening Gram Sabhas meeting, suo-motto review of rejected claims and early disposal of all pending claims.
